

REMARKS

Claims 1-21 and 23-35 are pending in the application. By this Amendment, new claims 33-35 are added and claims 31-32 are canceled without prejudice or disclaimer.

Claims 1-4, 6-8, 17, and 23-30 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-4, 6 and 23 are rejected under 35 U.S.C. § 102(e) as being anticipated by Yamakita *et al.* (U.S. Patent No. 6,285,780; hereinafter “Yamakita”). Claims 25-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Yamakita. Claims 5, 9-16 and 18-21 are allowed. Claims 7-8, 17 and 24 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. § 112, second paragraph. Applicant submits the arguments below in traversal of the claim rejections.

Rejection of Claims 1-4, 6-8, 17, and 23-30 under § 112, second paragraph

Applicant submits that claims 1-4, 6-8, 17, and 23-30 comply with 35 U.S.C. § 112, second paragraph.

Rejection of Claims 1-4, 6 and 23 under § 102(e) over Yamakita

Applicant submits that claim 1 is patentable because Yamakita fails to disclose or suggest each and every element of the claim. Claim 1 recites:

An image normalization processing system comprising:
an image reading apparatus including reading means for reading an image to obtain image data representing the image and reading side normalization processing condition determining means for determining a normalization processing condition for the image read by the reading means, the image reading apparatus outputting the image data and the normalization processing condition; and

an image receiving apparatus connected to the image reading apparatus and including receiving side normalization processing condition determining means for determining a normalization processing condition for the image based on the image data and normalization processing means for carrying out normalization processing using the normalization processing condition determined by the receiving side normalization processing condition determining means or the normalization processing condition determined on the reading side, on the image data.

For example, Yamakita fails to disclose or suggest the claimed reading side normalization processing condition determining means for determining a normalization processing condition for the image read by the reading means, as recited in claim 1. In the Office Action, the Examiner alleges that the image pick-up unit 1 corresponds to the reading side. See p. 4, paragraph 4. However, there is nothing to suggest that the image pick-up unit 1 includes any normalization processing condition determining means as claimed.

Even assuming arguendo, that the image-pick up unit 1 inherently discloses some sort of a normalization processing condition determining means, there is nothing in Yamakita which suggests that the image-pick up unit 1 determines a normalization processing condition for the image read by the reading means.

The Examiner states that: “[t]his image signal includes a portion representing an iridial granule. This iridial granule signal then provides a normalization processing condition used in the subsequent processing.” Therefore, it appears that the Examiner is arguing that the image signal captured by the image pick-up unit 1 corresponds to both the image data and the normalization processing condition. Claim 1, however, separately recites image data and image

processing condition; therefore, the Examiner cannot allege that the single image signal of the eye disclosed in Yamakita corresponds to these two claim elements.

In addition, the fact that the image pick-up unit 1 merely outputs the image of the eye lends further support to the Applicant's position that Yamakita fails to disclose or suggest the claimed reading side normalization processing condition determining means for determining a normalization processing condition for the image read by the reading means.

For at least the above reasons, claim 1 is patentable.

For reasons similar to those submitted for claim 1, claims 2-4, 6 and 23 are patentable.

In addition, claims 2-4, 6 and 23 are patentable because Yamakita fails to disclose:

the image reading apparatus outputting the image data and reduced image data (claim 2);

the image reading apparatus outputting the image data and the normalization processing condition (claim 3);

the image reading apparatus outputting the image data and a parameter for determining the normalization processing condition (claim 4);

the image reading apparatus outputting the image data, the normalization processing condition, and a parameter for determining the normalization processing condition (claim 6); and

in addition to the image data, at least one of the normalization processing condition, reduced image data generated from the image data by the normalization processing condition determining means, and a parameter for determining the normalization processing condition are output to the image receiving apparatus (claim 23).

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. APPLN. NO.: 09/281,969

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Rejection of Claims 25-30 under § 103(a) over Yamakita

Claims 25-30, which depend from claims 1-4, 6, and 23, are patentable for at least the reasons submitted for their base claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

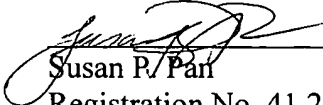
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